

Meeting Minutes
 Prevailing Wage Advisory Committee
 March 15, 2007

Attendees:

1. Prevailing Wage Advisory Committee Members: Rick Slunaker (Associated General Contractors), Allan Darr (Operating Engineers Local 302) , Dave Johnson (Building Construction Trades Council), Kathleen Garrity (Associated Builders & Contractors), Randy Dubigk (WSDOT), Linda Alexander (Benton County PUD), and Chris Elwell (Seattle/King Co. Building Trades Council)
2. L&I Staff: Dave Soma, Ramona Christensen-Russell, Gustavo Aviles, Reasa Nottingham, Sally Elliot, Laura Herman, Terry Zenker
3. Other Participants: Dan Taylor, Dave O’Meara, Paul Ingham, Peter Guzman, Leiter Hockett, Miriam Israel Moses, Jennie Kordenat, Steven Herrick, John Littel, Douglas Smith, Clark Gilman

Agenda Item	Discussion	Action	Due Date
Opening Remarks Introductions	The meeting was opened by Dave Soma at 10:05 a.m., and all present introduced themselves.		
Review and approve minutes from last meeting	Rick Slunaker made the motion and Chris Elwell seconded and all voted in favor of approving the minutes of the December 14, 2006.		
Legislative Update	<p>Dave Soma gave an update of where some of PW bills currently are in the process.</p> <p>HB 1370 passed the house – 97 to nothing and is now scheduled to move to the Senate. Rick Slunaker and Dave Johnson testified for the bill.</p> <p>HB 1908 is an interim bill and is at the Capital Projects Review Board.</p>		

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Budget Update	Everything is still in place for next year's budget.	The committee asked that at the next meeting there be a year review with a complete breakdown of the year budget and how everything is allotted. We will try to have our budget person – Les Hargrave here at that meeting.	6/21/07
<ul style="list-style-type: none"> • Scope of Work Update 	<p><u>Scope of Work:</u> Dave Soma went over the master list of scopes that needed to be worked on and where in the process we are.</p> <p>The Surveyor Scope of work was put in abeyance until further information was brought to us on how to proceed. Some of the issues and trades surrounding this scope were the Operating Engineers, Carpenters and Labors and where they all fit together. The other issue was confusing the Construction vs. the Land Surveyor.</p> <p>Allan Darr said that as it stands now – Land Surveyors would be included in the wage survey and would therefore drive the rate down so it needs to be split out.</p> <p>Dave Soma stated that all he knew was at the last PWAC the Department was asked to take it off of the table because of disputes amongst the trades.</p>		

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<ul style="list-style-type: none"> Scopes of Work Update Cont. 	<p>Dave Johnson asked about the Fabricated Pre-cast Concrete Scope of Work because he thought we already had one in place.</p> <p>Rick Slunaker made the motion to vote on 3 more scopes of work to have the Department start working on to bring to the table next but the motion died because there was no second.</p> <p>Kathleen Garrity made the motion to put the Shipbuilding scope up next to start work on but there was no second and everyone said that this scope was too big of an issue handle at this time.</p> <p>Dave Johnson made the motion to keep 3 scopes of work going at all times and Kathleen Garrity seconded the motion. All voted in favor of the motion. It was then decided that Industrial Engine and Machine Mechanics would be the scope for Department to start work on next.</p> <p>Rick Slunaker made a motion to have someone from the Attorney General's Office come and talk to the Committee about the legal consequences of having a wage but no defined scope of work. Allan Darr said that this was not appropriate and he would not support this motion in anyway. Dave Johnson said no to this as well. Dave Johnson stated that there had been wages for these scopes but no definitions for years and within the last 6-months or so we had 6 scopes that were either done or almost ready. Rick Slunaker stated that is was not right to block a request for information to this committee.</p>	<p>Dave Soma will look into this scope of work.</p>	

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<ul style="list-style-type: none"> Scopes of Work Update Cont. 	<p>Miriam Israel Moses stated that the Department was consistent with the way we handled the undefined scopes of work and she felt there was not a lot of liability in the way we were progressing. Allan Darr said that it was not about attorneys from the Department telling this committee what to do. There is a process in place for handling wage disputes.</p> <p>Rick Slunaker said that it was not right to have a prevailing wage rate without a scope because there is no way to know if the rate is right now because the people surveyed did not know the definition. Dave Johnson stated that there was no survey where there was no defined scope.</p> <p>Rick Slunaker then asked that the scopes that were coming up on the survey schedule in the near future be on the front end of the process in getting defined but Dave Johnson said that those scopes were 3-years out on the survey schedule.</p>		
<ul style="list-style-type: none"> Legal Update Determinations 	<p><u>Legal Update:</u> Steve Sauer (Incorporation vs. Stockpiling) case is at the ALJs in arbitration.</p> <p>Testcomm (HVAC and the initial TAB) case is at the ALJ in arbitration. Dave Johnson said he understood that this was about the initial testing & balancing but what does the end user say? Otherwise the sheetmetal worker does the installing, someone like Testcomm follows behind and does the testing but if something is wrong then the sheetmetal worker would have to do the adjusting. Is the sheetmetal worker going to be willing to warranty their work based on Testcomm's equipment and whether it is working right?</p>		

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<ul style="list-style-type: none"> • Legal Issues Cont. • Determinations • Surveys 	<p>Boss Construction – Judy Schurke asked for more information on this case and is now working this case.</p> <p>There still has not been a Supreme Court decision on Silverstreak.</p> <p>Bostain was not a specific prevailing wage issue but an overtime issue for truckers that could affect us because it has to do with state lines and considering those hours of work in other states when computing overtime wages.</p> <p>DW Close is at the Appellate Court and has to do with electrical work and McCaw Hall and the scope of work for paying prevailing wage.</p> <p><u>Determinations</u>: Gave out all the determinations done since the last PWAC.</p> <p>Surveys: Gustavo Aviles gave out several handouts for the group:</p> <ul style="list-style-type: none"> • Wage and Hour Survey –Group 1 responses. Rick Slunaker said that this was the best response rate in a while. • Newest Survey Schedule - Group 2 on the survey schedule is at the printer right now getting ready to go out. • Power Point presentation from the trainings that Gustavo Aviles has been doing. 	<p>Rick Slunaker asked that the request letter be added next time as well so that they could see what the question was.</p> <p>Need feedback from the PWAC about the future surveys – group 3 & 4.</p> <p>Rick Slunaker asked for the Power Point to be put out somewhere on the website.</p>	

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<ul style="list-style-type: none"> • Surveys cont... 	Rick Slunaker and Kathleen Garrity gave their kudos on the surveys.	Miriam asked for Survey Statistical Significance to be presented at the next PWAC.	
<ul style="list-style-type: none"> • Other Issues 	Leiter Hockett asked about the Divers and Tenders Scope and had thought that he had provided information that was up-to-date concerning this scope of work and that it had been added to it at the last meeting, but the scope of work he had printed out did not contain the new information.	The Department will check into this and get back to the group.	
Dates and Locations for upcoming meetings	Next PWAC committee meeting scheduled at the department's Tukwila office on June 21, 2007, in the Training Room #1, from 9:00 a.m. – 12:00 p.m. The Scope of Work subcommittee will meet in the same room from 1:00 p.m. to 3:00 p.m.		